

39-2-1. Members -- A body corporate -- Powers -- Expenses.

- (1) (a) The State Armory Board shall consist of the governor, the chair of the State Building Board, and the adjutant general.
- (b) It shall be a body corporate with perpetual succession.
- (c) It may have and use a common seal, and under the name aforesaid may sue and be sued, and contract and be contracted with.
- (d) It may take and hold by purchase, gift, devise, grant, or bequest real and personal property required for its use.
- (e) It may also convert property received by gift, devise, or bequest, and not suitable for its uses, into other property so available, or into money.
- (2) The board shall have power to:
 - (a) borrow money for the purpose of erecting arsenals and armories upon the sole credit of the real property to which it has the legal title; and
 - (b) may secure such loans by mortgage upon such property:
 - (i) the mortgaged property shall be the sole security for such loan; and
 - (ii) no deficiency judgment shall be made, rendered, or entered against the board upon the foreclosure of the mortgage; provided, however, that property in one city shall not be mortgaged for the purpose of obtaining money for the erection of armories in any other place. Said board shall be deemed a public corporation, and its property shall be exempt from all taxes and assessments.
- (3) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 286, 2010 General Session

39-2-2. Powers of State Armory Board.

- (1) The board shall supervise and control the armories and arsenals, and all real property held or acquired for the military purposes of the state.
- (2) The board may:
 - (a) provide suitable armories and arsenals for the different organizations of the National Guard;
 - (b) lease buildings for armory and arsenal purposes throughout the state wherever necessary for the use of organizations of the National Guard and for the storage of state and government property at a rental that the board considers reasonable;
 - (c) erect armories and arsenals at places within the state that it considers necessary upon lands to which it has acquired the legal title;
 - (d) expend military funds to acquire legal title to lands and to construct armories and arsenals; and
 - (e) lease land that it holds under Subsection (1) to Department of Defense agencies for military purposes.
- (3) (a) Subject to Subsection (3)(b), the board may take options for the purchase

of any premises under lease to the state for armory and arsenal purposes:

- (i) at any time during the life of the lease; and
- (ii) when the purchase is in the state's interest.
- (b) An option is not binding upon the board until it is approved by the

Legislature.

(4) (a) Before legally binding the state to sell any armory, army premises, or other real property owned by the National Guard, the board shall submit a description of the proposed sale to the Legislative Management Committee for its review and recommendations.

(b) Before legally binding the state to purchase any interest in real property, the board shall submit a description of the proposed sale to the Legislative Management Committee for its review and recommendations.

(c) The Legislative Management Committee shall review each proposal and may:

- (i) recommend that the board complete the purchase or sale; or
- (ii) recommend that the board not complete the purchase or sale.

(5) The proceeds from the sales of armories and army premises authorized by this section shall be appropriated to the State Armory Board to be applied toward the construction of new armories.

Amended by Chapter 106, 2009 General Session

39-2-7. Budget -- Annual legislative approval.

For the use of the State Armory Board, and for the purpose of payment of rentals for armories, and for the purpose of paying interest on any sum borrowed by said board for the erection of armories, and for the purpose of construction of new armories or other military facilities, the adjutant general shall prepare and submit to the governor, to be included in his budget to be submitted to the Legislature, a budget of the requirements for the expenses of the Utah National Guard in carrying out the provisions of law for the fiscal year next following the convening of the Legislature.

Amended by Chapter 22, 1989 General Session

39-2-9. Cities may assist in erecting armories.

The board of commissioners and city councils of cities shall have power to appropriate from any funds of the city available for general purposes such sums as they may deem expedient for the purpose of assisting the State Armory Board in the erection of armories within their respective cities, and for the maintenance of armories located and maintained therein, and in all cities where waterworks and an electric light plant are owned by the city the water and electric light used in armories maintained therein may at the discretion of the city be furnished without cost.

No Change Since 1953